

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

RESOLUTION APPROVING AND AUTHORIZING THE PLACEMENT OF CONTRACTOR'S POLLUTION LIABILITY INSURANCE FOR A THREE YEAR TERM COMMENCING ON JULY 14, 2017, AND ENDING ON JULY 14, 2020, WITH NAVIGATORS SPECIALITY INSURANCE COMPANY (WITH A POSSIBLE PAYMENT TO AMERICAN SPECIALTY INSURANCE CO. ("AIG") FOR AN ENDORSEMENT TO THE AIG POLICY EXTENDING COVERAGE FOR PROJECTS THAT ARE UNDERWAY AND NEARING COMPLETION) TO BE ARRANGED AND PAID THROUGH THE CALIFORNIA STATE ASSOCIATION OF COUNTIES-EXCESS INSURANCE AUTHORITY AND ITS PRIME INSURANCE BROKER, ALLIANT INSURANCE SERVICES, IN AN AMOUNT NOT TO EXCEED \$240,000.

WHEREAS, the Board of Port Commissioners ("Board") has reviewed and evaluated Agenda Report Item 4.3 dated June 22, 2017, and related agenda materials ("Agenda Report"), has received the expert testimony of Port of Oakland ("Port") staff, and has provided opportunities for and taken public comment;

WHEREAS, that in acting upon this matter, the Board has exercised its independent judgment based on substantial evidence in the record and adopts and relies upon the facts, data, analysis, and findings set forth in the Agenda Report, and in related agenda materials and in testimony received;

NOW, THEREFORE, BE IT

RESOLVED, that the Board hereby approves and authorizes the placement of contractor's pollution liability ("CPL") insurance for a three year term commencing on July 14, 2017, and ending on July 14, 2020, with Navigators Specialty Insurance Company ("Navigators") (with a possible payment to American Specialty Insurance Co. ("AIG") for an endorsement to the AIG policy extending coverage for projects that are underway and nearing completion) to be arranged and paid through the California State Association of Counties-Excess Insurance Authority ("CSAC-EIA") and its prime insurance broker, Alliant Insurance Services, in an amount not to exceed \$240,000; and be it

FURTHER RESOLVED, that the Board hereby approves and authorizes the execution of any incidental documents necessary to implement the CSAC-EIA administration of the Navigators CPL policy; and be it

FURTHER RESOLVED, that the Board finds that the placement of the Navigators CPL policy (and any necessary extension of the AIG CPL policy) as described herein was reviewed in accordance with the requirements of the California Environmental Air Quality Act ("CEQA"), and the Port CEQA Guidelines. The general rule in Section 15061(b)(3) of the CEQA Guidelines states that CEQA applies only to activities that have a potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility that taking the actions related to the Port's CPL insurance program will result in a physical change in the environment, and, therefore, they are not subject to CEQA and no further environmental review is required; and be it

FURTHER RESOLVED, that this resolution shall be effective immediately upon adoption by the Board.

DRAFT